

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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RICKY GRAVES,

Plaintiff,

v.

Case No. 05-74557

MICHIGAN PAROLE BOARD, et al.,

Defendants.

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**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
TO GRANT DEFENDANT'S MOTION TO DISMISS**

This case is before the court on Defendants' motion to dismiss. The matter was referred to United States Magistrate Judge Steven D. Pepe pursuant to 28 U.S.C. 636 (b)(1)(B) and Local Rule 72.1. The magistrate judge issued a Report and Recommendation on April 4, 2006 (Dkt. #22), suggesting that the Defendants' motion be granted and the case dismissed based upon failure to state a claim and failure to exhaust administrative remedies.

Objections, if any, were due to be filed not later than May 8, 2006. No objections have been filed by Plaintiff, thus the Report and Recommendation is before the court without challenge. The court has reviewed the file and the Report, and concludes that the findings and recommendations of the magistrate judge are correct. Each such recommendation and finding is adopted.

NOW THEREFORE, the Magistrate Judge's Report and Recommendation is hereby ACCEPTED, and ADOPTED as the ruling of this court;

IT IS ORDERED that Defendants' motion to dismiss is hereby GRANTED and that this case is **DISMISSED**.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 16, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 16, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522